

1 SCOTT A. FLAXMAN (SBN 241285)
2 SCOTT A. FLAXMAN, ATTORNEY AT LAW
3 21 Buena Vista Road
4 South San Francisco, Ca 94080
5 Telephone: (415) 571-0582
6 Facsimile: (650) 952-0409

7 Attorney for Plaintiff

8
9
10 IN THE UNITED STATES DISTRICT COURT
11
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13
14 ALI BAALOUACH,)
15 vs.) Plaintiff) Case No.: 3:07-cv-5433
16 MEHDI NAFAI,)
17 DORIS ALICIA CORDOVA,)
18 SUMMIT MORTGAGE,)
19 REALTY MORTGAGE, LLC,)
20 Doe 1 through Doe 10,)
21 Defendant)
22
23

24 The Plaintiff, Ali Baalouach, by and through his counsel, Scott A. Flaxman ("Plaintiff"),
25 pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, request the Clerk of this Court to
enter default against the defendants: Mehdi Nafai, Doris Alicia Cordova and Summit Mortgage,

1 a California Corporation, individually, on the grounds that the defendants have failed to answer
2 or otherwise respond to the Plaintiff's Complaint on file herein.

3 The clerk should Enter a Default against these defendants for the following reasons:

4

5 **MEHDI NAFAI**

- 6 1. Plaintiff filed his original Complaint in this Court on October 24th, 2007.
7 2. On October 29th, 2007, Plaintiff served Defendant Mehdi Nafai via professional process
8 server,

9 Jeff King
10 Wheels of Justice, Inc.
11 657 Mission Street, Suite 502
12 San Francisco, California 94105
Phone (415) 546-6000
("Wheels of Justice"),

13 the following documents:

14 SUMMONS IN A CIVIL ACTION, COMPLAINT, INITIAL CASE MANAGEMENT
15 SCHEDULING ORDER, CASE MANAGEMENT CONFERENCE ORDER, NOTICE OF
16 AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION, CONSENT
TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE, ADR PACKAGE, ECF
REGISTRATION

- 17 3. On November 7th, 2007, I submitted a Certificate of Service regarding Defendant Mehdi
18 Nafai to this Court using the ECF System for filing.
19 4. At the time of the filing of this Request, no answer or other responsive pleading has been
filed by Defendant Mehdi Nafai.
20 5. Upon information and belief, Defendant Nafai is neither an infant, an incompetent, nor in
the military.

22

23 **DORIS ALICIA CORDOVA**

- 24 1. Plaintiff filed his original Complaint in this Court on October 24th, 2007.
25 2. On November 1st, 2007, Plaintiff served Defendant Doris Alicia Cordova via professional
process server, Scott E. Lane of Wheels of Justice the following documents:

1 SUMMONS IN A CIVIL ACTION, COMPLAINT, INITIAL CASE MANAGEMENT
2 SCHEDULING ORDER, CASE MANAGEMENT CONFERENCE ORDER, NOTICE OF
3 AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION, CONSENT
4 TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE, ADR PACKAGE, ECF
REGISTRATION

5 3. On November 13th, 2007, I submitted a Certificate of Service regarding Defendant
Mehdi Nafai to this Court using the ECF System for filing.

6 4. At the time of the filing of this Request, no answer or other responsive pleading has been
filed by Defendant Doris Alicia Cordova.

7 5. Upon information and belief, Defendant Doris Alicia Cordova is neither an infant, an
incompetent, nor in the military.

8
9 **SUMMIT MORTGAGE CORPORATION**

10 11 1. Plaintiff filed his original Complaint in this Court on October 24th, 2007.

12 2. On November 1st, 2007, Plaintiff served Defendant Summit Mortgage Corporation via
13 professional process server, Scott E. Lane, of Wheels of Justice, the following
documents:

14 SUMMONS IN A CIVIL ACTION, COMPLAINT, INITIAL CASE MANAGEMENT
15 SCHEDULING ORDER, CASE MANAGEMENT CONFERENCE ORDER, NOTICE OF
16 AVAILABILITY OF MAGISTRATE JUDGE TO EXERCISE JURISDICTION, CONSENT
17 TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE, ADR PACKAGE, ECF
REGISTRATION

18 3. On November 13th, 2007, I submitted a Certificate of Service on Defendant Summit
Mortgage Corporation to this Court using the ECF System for filing.

19 4. At the time of the filing of this Request, no answer or other responsive pleading has been
20 filed by Defendant Summit Mortgage Corporation.

21 5. Upon information and belief, Defendant Summit Mortgage Corporation is neither an
infant, incompetent, or in the military.

22 Plaintiff hereby requests the Clerk of this Court for the Entry of Default against Defendants:
23 Mehdi Nafai, Doris Alicia Cordova and Summit Mortgage Corporation, a California Corporation,
24 individually.

25 Respectfully submitted,
s/Scott A. Flaxman

1 **CERTIFICATE OF SERVICE**

2
3 I hereby certify that on November 26, 2007, I electronically transmitted the attached document to
4 the Clerk of Court using the ECF System for filing.

5 A copy of the foregoing was also sent via First Class U.S. Mail to:

6 G. Todd Burwell
7 Latham & Burwell
8 618 Crescent Boulevard, Suite #200
9 Ridgeland, MS 39157

10 s/Scott A. Flaxman

11 Scott A. Flaxman